



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
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July 9, 2003

TO: Washington State Board of Health Members
FROM: Carl Osaki, Ed Gray, and Vickie Ybarra, WSBOH Members
RE: SCHOOL ENVIRONMENTAL HEALTH

Summary

The Board has received extensive public testimony and heard presentations at past meetings on school environmental health issues, especially indoor air quality. Today the Board will hear how the local health jurisdiction hosting this meeting and state agencies are working to prevent and respond to school environmental health concerns. Specifically, it will hear presentations from:

- Jim Matsuyama, Northeast Tri-County Health District's Environmental Health Director, on the Northeast Tri-County Health District and EPA's Tools for Schools IAQ Project
- Marcia Riggers, OSPI Assistant Superintendent, on OSPI's School Environmental Health Initiative

We will also present a summary of the SBOH School Environmental Health Rule Review (attached) for Board discussion and possible action.

Recommended Board Actions

I recommend that the Board consider the following motion:

The Board directs the Executive Director to initiate revision of Chapter 246-366 WAC by July 2004. It also directs the Chair to send a letter to Mary Selecky, Secretary of Health, and Terry Bergeson, Superintendent of Public Instruction, recommending that Department of Health and the Office of the Superintendent of Public Instruction:

- 1. Include in the next edition of the Health and Safety Guide for K-12 Schools in Washington:***
 - Communication criteria regarding health-related school closures and remediation actions***
 - Communication guidance and plans for crisis and routine communication between school district and local health jurisdiction staff, and students, parents, teachers, and community members.***
- 2. Convene a workgroup of representatives of local health jurisdictions, DOH, OSPI, school boards, school districts, administrators, facility maintenance operators, architects, students, parents, teachers and other interested and effected parties to:***
 - Promote use of the Health and Safety Guide for K-12 Schools in Washington and other school environmental health best practices.***
 - Identify resources to improve local health jurisdiction and school staff expertise in improving school environmental health***
 - Identify funding mechanisms that encourage schools be designed, built, maintained, operated and inspected with the goal of improved environmental health.***

Discussion

Statutory Authority

The Board has statutory authority under RCW 43.20.050(2)(c) to:

adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, cleanliness and space in all types of public facilities including ...schools.

The Board set minimal environmental standards for educational facilities in WAC 246-366.

This rule requires that local health officers review and approve new facility and major alteration plans and make periodic inspections of each existing school within their jurisdictions (WAC 246-366-040). The rule does not indicate the frequency of inspection, how the inspections will be funded, or set specific criteria for evaluating indoor air quality. The Board last revised the rule in 1991 to include sound control standards.

Local boards of health have the authority to establish fees for school plan reviews and inspections (RCW 70.05.060). Statutory authority for school environmental health and determining construction and maintenance funding for school facilities lies with the State Board of Education, OSPI, district superintendents, and school boards (RCW 28A.315 through 335).

Past Board Actions

In 1994, the Board adopted a motion on schools and school environments. This resulted in the Department of Health convening workgroups and producing several reports:

- School IAQ Best Management Practices Manual, February 1995
- Implementation Survey Report – WAC 246-366 Primary and Secondary Schools, February 12, 1997
- Health and Safety Guide for K-12 Schools in Washington, with OSPI, December 2000

School Indoor Air Quality has been a recurring topic during Board meetings over the last eight years. Most recently the Board heard testimony at its March, May, June, September, October, and December 2002 meetings from parents, students and teachers concerned about IAQ at Cle Elum schools.

At its October 2002 meeting the Board also heard presentations on:

- OSPI's School Environmental Health Initiative
- Recommendations from the Healthy Schools Task Force (HSTF), a group of non-governmental organizations and government agencies
- DOH Cle Elum-Roslyn High School Health Survey
- Cle Elum-Roslyn Indoor Air Quality Coalition
- School IAQ Program "best practices"

It also received a "Summary of Recommendations Regarding How to Improve the Public Health and School Systems' Responses to School IAQ Problems" compiled by staff (attached). The Board appointed Carl Osaki, Vickie Ybarra, and Ed Gray, along with DOH representative Maryanne Guichard, to a workgroup charged with developing policy recommendations regarding school indoor air quality and presenting those recommendations to the Board in January 2003.

The recommendations presented in January and adopted by the Board were:

1. The Board continues to serve as a public forum to receive or elicit testimony regarding school-related environmental health concerns.
2. The Board requests that Board staff prepare and submit a rule review document to the Board by July 2003 that includes the following elements:
 - Review of WAC 246-366 with respect to results achieved and outcome measures.

- Review of WAC 246-366 and other relevant rules with respect to identification of a responsible party during construction and capital improvement projects.
 - The appropriateness and practicality of plan review requirements and the pre-occupancy review process for new school construction or for school remodeling projects.
 - The presence and usefulness of communication criteria related to school closures and remediation actions due to environmental health and indoor air quality concerns.
 - The frequency and scope of inspections.
 - A timeline and outline for any rule updates or revisions recommended in the rule review.
3. The Board recommends that OSPI, the State Board of Education, and school district superintendents and boards:
 - Develop school environmental health communication plans that include students, school staff, parents, community members and other interested individuals and organizations.
 - Allocate funds for local health departments' plan reviews, technical assistance and inspections.
 - Allocate funds for school health and safety repairs.
 4. The Board recommends that the Washington State Legislature designate funding for a school health and safety repair program, to assist OSPI, the State Board of Education, and school district superintendents and boards in establishing an ongoing program.
 5. The Board requests that OSPI update the Board on the status of OSPI's School Environmental Health Initiative in July 2003.

Washington School IAQ

School IAQ problems are not limited to Cle Elum-Roslyn schools. Assessments of 156 Washington schools during the 2000-2001 school year found that 42.5 percent of classrooms had high carbon dioxide levels, indicating inadequate ventilation.

Last year OSPI received applications for Emergency School Repair and Renovation grants from 43 percent of school districts. More than \$25 million was requested, but the one-time federal funding provided only \$10.35 million. The applications provided information on the condition of many schools in the state. They also indicated that state and local funding of school repairs and renovations does not meet existing needs. (Please see www.k12.wa.us/facilities/esrr/ for more information.)

Rule Review Timing

A 1998 DOH review of WAC 246-366 concluded that the rule should be revised. Almost all of those who attended a March 24, 2003 School Environmental Health Rule Review meeting (notes attached) agreed that WAC 246-366 should be revised. Input on when the Board should revise the rule varied. Rule revisions such as this one require intensive staff work and generally take at least a year. Board and DOH staff are most likely to be the lead staff on this rule revision are currently involved in other extensive rule revisions. It is therefore recommended that the revision of WAC 246-366 begin in July 2004, when completion of other rule revisions is expected.